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September 17, 2007

By facsimile: (212) 843-9191

Ms. Sandra Behrle  
Cooper, Brown & Behrle, P.C.  
331 Madison Avenue - 2<sup>nd</sup> Floor  
New York, New York 10017


Re: Kennedy v. Roberts

Dear Ms. Behrle:

This confirms our telephone conversation on Thursday of last week wherein I advised you that I would be representing defendant Kenneth Roberts in this case. I requested a 40-day extension of time within which to answer, move or otherwise respond to the complaint, in addition to the 20-day statutory period for response. The sixty day period will commence to run on September 13, 2007. Since you have not as yet served Mr. Roberts with summons and complaint, I acknowledge my authority to accept service on his behalf, and do so effective September 13, 2007, subject to the sixty day time period within which to answer, plead or otherwise respond.

Please acknowledge your agreement to the extension of time by signing and returning a counterpart copy of this letter.

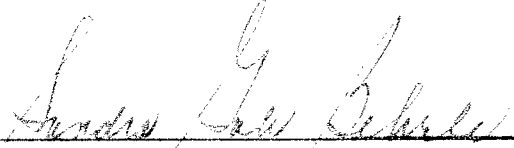
Very truly yours,

  
Philip D. Dapeer

PDD:lgf

cc: Mr. Kenneth J. Roberts (by fax)

Agreed:

  
Sandra Behrle, for  
Cooper, Brown & Behrle

Dated: 18 September 2007